



## Here's what you need to know about Hearings

An OMB hearing gives you the opportunity to present and prove your case to the Board. The Board hears appeals and applications on a wide range of municipal and land-related matters including official plans, zoning by-laws, subdivision plans, consents and minor variances, land compensation, development charges, ward boundaries and aggregate resources.

OMB hearings are usually open to the public, unless it is not practical as in some electronic or written hearings or there is an issue with confidentiality.

To request a hearing in French, write to the OMB at least 25 days before the hearing. For services in other languages, you must bring an interpreter.

### How is an OMB hearing held?

An OMB hearing may be held in person (orally), by telephone or video conferencing (electronically), or in written form.

#### ➤ Oral Hearings

- These in-person hearings usually follow the established pattern of courtroom practice. They are less formal than a court proceeding but more formal than a committee or council meeting. Most of the Board's hearings are oral.
- If the hearing is complex, it may involve lawyers, many witnesses and lengthy presentations. In addition to local residents and concerned citizens, parties often call expert witnesses to testify about an issue. All witnesses must be sworn in or affirmed.

#### ➤ Electronic Hearings

- These hearings take place either by telephone or video conferencing. All relevant documentation must be sent to the Board before the hearing event. Cell phones are not allowed for hearings that take place over the telephone.

#### ➤ Written Hearings

- A written hearing allows parties to submit to the Board all evidence and arguments in writing. It is rare for the OMB to conduct a written hearing.

### What usually happens at a hearing?

At a hearing, the Board Member (the person adjudicating the proceeding) will determine the order of who should present evidence (including witnesses) first.

The first party presents evidence, followed by any other parties who support that position. Then any parties who oppose that position give their evidence. Each witness may be cross-examined.

The first party then has a right to respond to the evidence presented by the other party. He or she should only speak to the issues raised in the evidence. The Member can stop witness testimony if he or she does not present relevant evidence. After all the evidence is presented, parties give their final arguments.



## Will a decision be made at the hearing?

The Member may give a decision at the end of a hearing or in writing at a later date (a reserved decision).

The decision comes into effect only when the OMB issues its written decision and order. When the decision is issued, it will be sent to the parties and posted on the OMB website.

## How do I prepare for my hearing?

To prepare for your hearing you may want to check the appropriate provincial legislation, such as the sections of the Planning Act, which relate to your appeal. You may also want to read related municipal documents, such as by-laws or official plans, and the OMB's *Rules of Practice and Procedure*.

## Where can I get more information?

For more information on hearings, refer to the OMB's *Rules of Practice and Procedure* (Rules 80-95). The Rules are available at [www.omb.gov.on.ca](http://www.omb.gov.on.ca), or by calling (416) 326-6800 or toll free 1-866-887-8820.

## Please Note

The information contained in this information sheet is not intended as a substitute for legal or other advice, and in providing this information, the Ontario Municipal Board (OMB) assumes no responsibility for any errors or omissions in this information sheet, and shall not be liable for any reliance placed on the information in this information sheet. Additional information, including the OMB's *Rules of Practice and Procedure*, is available at [www.omb.gov.on.ca](http://www.omb.gov.on.ca), or by calling (416) 326-6800 or toll free 1-866-887-8820.



The **Ontario Municipal Board** is an independent adjudicative tribunal established under statute by the Province of Ontario. The Board hears appeals and applications on a wide range of municipal and land-related matters including official plans, zoning by-laws, subdivision plans, consents and minor variances, land compensation, development charges, ward boundaries, and aggregate resources. The Board operates under many different pieces of legislation, including the Planning Act.

### Produced by:

Ontario Municipal Board  
655 Bay Street, Suite 1500, Toronto, ON M5G 1E5  
Tel (416) 326-6800 or toll free 1-866-887-8820